

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ARIZONA BEVERAGES USA LLC,

Plaintiff,

-against-

HANOVER INSURANCE COMPANY,

Defendant.

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Docket No.: 20 CV 01537 (GRB/LGD)

Hon. Gary R. Brown

**NOTICE OF MOTION**

Motion Sequence No. \_\_\_\_

PLEASE TAKE NOTICE, upon the annexed Memorandum of Law in Support of Motion, Plaintiff's Statement of Undisputed Material Facts, the Affirmation in Support of Motion by Amanda Peterson, Esq., the annexed exhibits and all of the pleadings and proceedings heretofore had herein, Plaintiff Arizona Beverages USA LLC shall move this Court before the Hon. Gary R. Brown, U.S.D.J., in Court Room 840, United States Courthouse for the New York Eastern District, located at 100 Federal Plaza, Central Islip on **September 16, 2022**, at 9:30 a.m., or as soon thereafter as counsel can be heard for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure (1) granting Plaintiff summary judgment in this action; (2) directing that judgment be entered against Defendant Hanover Insurance Company in the amount of \$552,573.25, together with interest thereon, and (3) for such other and further relief as this Court may deem just and proper, including without limitation for leave to amend Plaintiff's complaint to assert a cause of action for estoppel if the Court deems necessary for entry of judgment.

Dated: New York, New York  
July 29, 2022

LERNER, ARNOLD & WINSTON, LLP  
Attorneys for Plaintiff

By: /s/ Amanda Peterson  
Amanda Peterson, Esq. (AP1797)  
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To: Robert Wolf, Esq.  
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### **CERTIFICATION OF SERVICE**

I hereby declare under penalty of perjury that on July 29, 2022, in accordance with the parties' briefing schedule, I served the foregoing Notice of Motion together with accompanying Memorandum of Law, Plaintiff's Statement of Material Facts, Certification In Support of Motion, and the exhibits thereto, upon the following via e-mail:

Robert Wolf, Esq.  
FINAZZO COSSOLINI O'LEARY MEOLA & HAGER, LLC  
*Attorneys for Defendant Hanover Ins. Co.*  
5 Penn Plaza  
New York, New York 10001  
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Dated: New York, New York  
July 29, 2022

LERNER, ARNOLD & WINSTON, LLP  
Attorneys for Plaintiff

By: /s/ Amanda Peterson  
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